

DEA Regulations Governing Prescribing of Controlled Substances in Long Term Care Facilities

In the past several months, DEA has taken enforcement actions on pharmacies that provide pharmaceutical services to patients residing Long-Term Care Facilities, concerning violations in the prescribing and dispensing of controlled substance in those settings. In essence, DEA does not recognize chart orders as valid prescription drug orders in long-term care facilities. As a result, a chart order can only be a valid prescription for a controlled drug (Classes II-V) for a resident in a long-term care facility if it contains all of the following information:

1. the full name and address of the patient
2. the drug name, strength, dosage form, quantity prescribed and directions for use
3. the name, address and registration number of the practitioner
4. the authorized number of refills, if a Schedule III-V
5. the signature of the prescriber.

While long-term care nurses routinely take and document orders for medications from practitioners and transmit them to the vendor pharmacy, DEA does not recognize that nurses working in these facilities function as the practitioner's agents. Therefore, LTC nurses cannot transmit orders/prescriptions for controlled substances for patients residing in the facility.

This rule also applies to nurses and/or other staff working in alternate residential settings and to pharmacies providing medications to patients in settings such as Assisted Living Facilities and Group Homes.

For more information and FAQ's - www.dea diversion.usdoj.gov/faq/general.htm

For Posting on following websites:

Board of Pharmacy
Board of Nursing
Board of Medical Licensure and Discipline
Facilities Regulation